

Draft

MINUTES

Call to order:

Meeting was called to order by Ms. O'Keeffe at 6:30 p.m.

Attendance:

Present: Stephanie O'Keeffe (Chair), Alisa Brewer, Aaron Hayden (Clerk), Diana Stein, Gerry Weiss, Larry Shaffer (Town Manager)

Others presenting: Kerry Strayer, David Ziomek (Director Planning Zoning and Inspection Services), Bonnie Weeks (Building Services), Agnes Ting, Carol Bish, Andy Beal

Select Board's actions

Earth Hour proclamation:

Gerry Weiss read the Earth Hour proclamation –

Decision: Gerry Weiss moved to accept the proclamation as presented. Diana Stein seconded and the motion was approved unanimously.

Seasonal License Renewal – Cherry Hill:

Aaron Hayden moved to renew the Seasonal Wine and Malt Liquor License for Cherry Hill Golf Course, 323 Montague Road (Manager: Barb Bilz) for April 1, 2009 – December 31, 2009. Diana Stein seconded and it passed unanimously.

Approval of Minutes

Diana Stein moved to approve Minutes of March 9, 2009 as amended. Gerry Weiss seconded and it passed unanimously.

Resident Concerns about Bylaw enforcement at Rental Properties

About 20 citizens attended the hearing:

Kerry Strayer presented the concerns of the residents of East Pleasant St. As more houses in the neighborhood are rented the problems with noisy parties and parking have been growing. The neighbors have asked for enforcement of parking regulations – enforcement seems to have started and then stopped. Initial requests for information were not followed up and there has been very little communication with the neighbors on the status of the enforcement.

Mr. Schaffer apologized for not replying back to Mr. Strayer in a timely manner. The issues in this complaint are a problem across the community and need to be approached with a systematic solution. The Town Manager's Office is working on the over all solution.

David Ziomek and Bonnie Weeks presented the Town's approach going forward: Plans for better communication including improving the new computerized "Muni" system for taking care of these situations.

They explained that current zoning rules are cumbersome to enforce by the building officials. In any event Mr. Ziomek will make himself available for any call on enforcement if Ms. Weeks is not available.

Will be working with citizen groups to work on enforcement and applying new thinking to the zoning by-law.

Ms Weeks gave a brief history of the current enforcement actions on the East Pleasant Street properties;

For 219 East Pleasant Street the preliminary letter was sent in January that included a records request. The By-laws require the Town Manager's approval to move ahead with a court case, the case against the landlord of 219 has been started and will be taken to Housing Court.

The preliminary letter has been sent to the landlords of 256 and 227 East Pleasant St. The owner of 227 responded in person and has given documents that show they are in compliance. The landlord of 256 is out of the country. 256 has 5 tenants in the house and asked to keep all of them until the appeal, to be allowed 5 tenants, is completed.

Gerry Weiss raised some issues; Town responsiveness, zoning by-laws, and noise. It seems the first 2 are being taken care of and parking may not be a problem if the own tenants are good neighbors. Maybe the parties and parking are enough to trigger enforcement of the Nuisance House by-law.

Mr. Weiss would like to get the UMass police involved to help with the work load of enforcement, they should be invited to help with the resolution of the problem.

Alisa Brewer asked how a registered rental property could have 5 tenants which is an obvious violation with the by-laws. It turns out registration is through the Board of Health which is not directly connected to the Building Department and the registration process has been dormant for a while.

Diana Stein would like to have Martha Patrick Nelson (UMass Chancellor's office) made aware of these issues as a liaison to UMass.

Stephanie O'Keeffe noted that Ms. Patrick-Nelson volunteered to be at the meeting this evening but they decided, as meeting was mostly about enforcement, that Ms. Patrick-Nelson might come another time when new policies are being considered.

David Ziomek gave a timeline of zoning reforms....

It will take a couple of years to implement new by-laws – the Planning Department is working on it.

The new enforcement plan is moving more quickly. The Building Department will work with IT to modify the Muni system and with the Board of Health to work on the registry of rental houses.

The Rental Registration process is not very active right now: Larry Shaffer notes the registry is dormant and that the concerns raised tonight suggest the bigger problems at hand. In 2006 he tried identify the problems with all types of inspections; where they were redundant and where communications got dropped. Inspection Services were stand alone, their software system is isolated from other systems in Town. Inspection Services is being moved into the planning office and the computer system is being changed to allow information to be shared across the organization: the work to do both these should be complete in about 3 weeks.

Mr. Shaffer is working to stitch in the Rental Registry process into Inspection Services and Zoning. In short the Town Manager feels he just needs to pick up the phone and be in communication with residents.

Stephaine O’Keeffe summarized the discussion; The neighbors were not communicated with – which will improve

Contact points in Town Hall have been made more available – Bonnie Weeks and David Ziomek

Enforcement is being actively pursued on several properties - Letters to East Pleasant Street property owners (though not 289 yet since they are not in flagrant violation of parking rules. Rather has communicated the rules and the requirement they are to be followed.)

The Town Manager will be getting parking plans from landlords, copies can be provided as requested.

Public comments;

John Edwards appreciates the understanding the rules need to be reworked.

Mr. Edwards wondered why for the (219 Amity Street property) there wasn’t a positive conversation with owner to help them understand that parking 25 cars is not OK.

Larry Shaffer replied that he had met the owner with David Ziomek and Bonnie Weeks about the issues and suggested fixes as a first step. If it doesn’t work Town Mgr’s office will proceed with the enforcement.

The owner of 219 East Pleasant Street, Ms. Agnes Ting described the conversations she has had with her current 4 tenants about their cars and that she put up a fence to physically keep parking where it belongs. She doesn’t know what else to do but will do as requested.

Carol Bish, co-owner of 205 East Pleasant Street and abutter with 219 noted the conditions of 219 has a lot to do with the particular students renting, now maybe there are 4 but at times there have been 9. Unsupervised adolescents living off campus drink and leave their trash all over. She is thankful for the fence to keep the parking off lawn but noted that sometimes guests to 219 park badly and block the road and that sometimes it takes many calls to the APD before they give a \$300 fine. She also feels that the University and the landlord are acting in loco-parentis, and need to take more responsibility. Ms Bish would like to add litter and garbage to the responsibilities of the Board of Health.

Stephanie O’Keeffe reminded us that the Campus and Community Coalition put together the nuisance house by-law and will be doing a big information push when students come back. The by-law is fairly new and needs to be advertised. The Landlord’s association is working on the issue and enforcement of the by-law.

Andy Beal from 206 E Pleasant St told us that 219 is robbed annually. A window was broken in December 2008 as part of a robbery - the window was unrepaired as of last week. Mr. Beal would like enforcement of current laws. The landlord should take care of the house, and the Town should do their inspections and enforcement.

Alisa Brewer noted that small budget cuts can lead to the inability for Town to do a lot of this type of enforcement work.

Gerry Weiss reported that the Sunset Ave. collaboration between UMass, residents, students and Town officials is working though they haven’t fixed the problems yet.

Health Insurance Letter in packet presented by Diana Stein. It is a request for the State to give towns flexibility in providing health care. Ms. Stein would like the Select Board to consider publishing it.

Alisa Brewer moved that we do publish it to the website at least. The motion was accepted (with minor amendments) without objection.

Committee appointments

Decision: Alisa Brewer moved to accept changes in Local Historical District Study Committee adding 2 seats and to put a sunset date for the committee of June 2012. Vacancies will be replaced in-kind.

Diana Stein further moved to appoint;

Lynda Faye, Local Historical District Study Committee for a term to expire June 30, 2012

William Gillen (AIA rep), Local Historical District Study Committee for a term to expire June 30, 2012

Jerry Guidera, Local Historical District Study Committee for a term to expire June 30, 2012

Wendy Kohler, Local Historical District Study Committee for a term to expire June 30, 2012

Ernestine Sawicki (Realtors Association), Local Historical District Study Committee for a term to expire June 30, 2012

Phillip Shaver, Local Local Historical District Study Committee for a term to expire June 30, 2012

James Wald (Local Historical Society), Local Historical District Study Committee for a term to expire June 30, 2012

Aaron Hayden seconded and the motion was accepted unanimously.

Grant SME to LHDSC

Decision: Alisa Brewer moved to give Special Municipal Employee Status. Gerry Weiss 2nd ed and the motion was accepted unanimously.

Town Manager's report

Chief Sherpa announced his retirement effective June 30th 2009 – Mr Shaffer read the announcement for the newspapers.

Mr. Shaffer will be taking a total vehicle inventory and integrate the data with a new policy. He would like to work on the vehicles after this year's budget is complete when there is time to do the work correctly.

Mr. Shaffer worked with the Personal Board to write the job description of an Environmental Scientist to serve the three enterprise funds in Town that need one, water, sewage and solid waste incorporating three needs into one position. He is also looking into employee meetings and will meet with non-union employees to discuss the budget and to seek ideas on how to proceed. He has scheduled meetings with the other collective bargaining units to review budget and their ideas on deficiencies and their assistance and to answer questions.

PVTA Board of Advisors met this week. They are in good shape with \$16m additional capital funding and may get to Forward Funding. (The State uses stimulus money or tax initiatives to get to forward funding.) This is important to the Town since funding for Rte 32 will be picked up by the PVTA if we get to 50% ridership AND the PVTA gets to forward funding.

The Parking Task Force had an energetic discussion about eliminating the meters for some spaces. The proposal can be improved greatly and presents alternative idea for assigning 6 slots with 15 min parking. On April 17th the Task force will consider all these proposals.

Mr. Shaffer met with the Friends of the Amherst Senior Center to discuss fundraising: The Friends will be pursuing some of these fundraising projects.

Alisa Brewer asked whether the idea of a shared public safety Chief was considered.

Mr. Shaffer felt it was not a good application in Amherst. APD and AFD are not large enough to have a separate Public Safety Czar to have enough to do. Someone would still need to run each organization. Also creating another position with overarching authority doesn't add to efficiency and is expensive. Traditionally there aren't pub safety directors in New England. The position is not appropriate for our community.

Diana Stein doesn't like the idea of free 15 minute slots, people will over stay and we can't afford a decrease parking spot downtown.

Gerry Weiss attended the Parking Task Force meeting where the idea of 15 minute free parking was discussed. They noted that the 15 minute spots need to be managed of course. In Northampton the idea seems to work but he would add increasing the cost of on-street parking and reduced the fees in the lots to make the downtown a friendlier place to park.

Budget discussion Employment Wage information

Gerry Weiss sent a letter to the Select Board regarding wages and the budget. Mr. Weiss would like the Select Board to see historical data on wages by group starting in FY 00. He feels we need to have an open look at compensation since it is over 80% of our budget – the data is needed to do our work on budgeting. It will allow us to stand behind whatever the budget decision on a basis of knowledge.

Stephanie O'Keeffe ask the Select Board whether to make it would want to request this data and when to get it.

Decision: When to get the information – now was accepted without objection. The Select Board asked Mr. Shaffer to schedule the work to gather this data.

Member reports

Regionalizing Veterans' Services meeting: Stephanie O'Keeffe and Larry Shaffer attended the meeting to regionalize veteran's services. Every town has a different way of providing these services. The group is looking at models that will address maintaining the level of care Vets are currently getting and to define the work of the current agents. The regionalization will provide the services at a lower cost than currently. At the meeting Mayor Higgins outlined goals for providing service in 12 communities (Amherst has the largest veteran's community though Northampton has the largest number of veterans accessing services.) and how to develop a fair funding formula for the enterprise. The group will look for ways the participating Towns can help each other - Establishing collaborations will create the foundation for work on bigger issues.

Annual report status update, Alisa Brewer met with Mariah and they are working on the final edit. The information will be on-line.

Joint Capital Planning Committee: IT for Town and schools were considered this week, next meeting is CPAC and funding capital projects given different (lower) levels of funding. The JCPC recommendations should be ready by the 26th.

Liaison and representative reports

Diana Stein reported the Shade Tree Committee is planting 250 trees to celebrate the 250th anniversary. This will not replace the trees lost over the recent years and urged us to Google “Shade Tree Committee 250th “

Agriculture Committee invited farmers who grow local produce to their meeting and had 30 people show up. There is a long waiting list for farmers to get into the Amherst Farmers’ market. The Committee is generally working on ways to get local produce sold locally.

The Planning Board Zoning Sub-committee is meeting this Wednesday at 7:04 (it is not posted on the town calendar) for a hearing on expanding the municipal parking district. They will also discuss the Mullin Rule and Master Plan.

CPA Committee is meeting at 6:30 Tuesday. They have learned the reimbursement has gone to 29% and will have to decide which projects to bring forward given the reduced funding.

Alisa Brewer reported the 250th Celebration Committee learned that Umass is donating \$25,000 to help celebration. The Millicent Coffman Award May 7th (“An Evening of Nostalgia”) will be presented to both the Amherst 250th Celebration Committee and the Hadley 350th Celebration Committee. Check the 250th ‘s website there is a lot going on.

Aaron Hayden reported of the TMCC’s ongoing efforts to improve the efficacy and fairness of the Finance Committee’s presentation to Town Meeting.

Liasion Policy

A draft of the policy was distributed.

Discussion: Gerry Weiss thought we should take these revisions and spend some time to improve them.

Alisa Brewer felt the policy needs some work to describe the attendance requirement.

Stephanie O’Keeffe felt requiring attendance and the policy of no automatic committee renewals need to be dealt with soon. Someone should create the punchlist.

Alisa Brewer noted end of term letters are being prepared now so we need to deal with the process soon – the letter will be held until then. Ms. Brewer will discuss with Judith how to alter letter. (Diana Stein offered to help.)

The trial of the Dyad system for appointing people to committees ends this month. The quarterly assignment system also leads to uneven work loads since most appointments are up in June. We need to put a new system in place.

Gerry Weiss reminded us that the current letter that goes out at the end of the first term includes the question whether the member is interested in a second.

Chair’s report – warrant article draft

There will be a “Four chairs” meeting to set up order of budget articles relative to State budget process

The Select Board will sign the warrant on April 13th.

Kanagasaki's middle school students' will be here for their annual visit beginning this week.

For several years Nancy Gordon has personally funded a survey to determine what support there is for an override. Ms. Gordon wanted support from the Select Board to do it again. There is little discussion around Town on the question either way. The survey effort may be redundant given the unsettled nature of the budgets.

Diana Stein noted that we may not be able to get a real answer without knowing the full extent of state cuts.

Gerry Weiss doesn't want to discourage people from helping in this way and felt the survey may establish a baseline.

ADJOURNMENT

Stephanie moved to adjourn to executive session at 8:47 to discuss strategies Collective Bargaining. The open meeting will not reconvene following the executive session. Gerry Weiss seconded and a roll call vote was held;

Alisa Brewer Aye

Aaron Hayden Aye

Stephanie O'Keeffe Aye

Diana Stein Aye

Gerry Weiss Aye

The motion carried unanimously to adjourn the meeting at 8:47 p.m.

Next meetings

3/23 Regular meeting; DPW issues; traffic calming plan, plan, Lincoln Ave proposal, Cottage Street parking changes, approve section of Downtown Sidewalk work.

3/30 no meeting

3/31 Annual Town election

4/6 Regular meeting; Take positions on Warrant articles, choose Select Board representatives for Fire and Police chief search panels

April meetings will be mostly on Warrant Articles. Agenda items need to be brought in as early as possible.

Comments and corrections are encouraged:

Respectfully submitted;

Aaron Hayden